

**PB# 99-31**

**JJ & H of Walden & Sunoco**

**9-1-87.1 & 93.2**

99-31

J. & H. OF WALDEN & SUNOCO  
LOT LINE CHANGE - RIVER ROAD (HILDRETH)

Approved 11/23/99

DATE October 23, 1999 RECEIPT 082211

RECEIVED FROM Plain Point Caterers, Inc.

Address Fiftyone 06/100 DOLLARS \$ 50.00

FOR Planning Board L. Charge

Application Fee # 99-31

Town Clerk

ACCOUNT		HOW PAID	
BEGINNING BALANCE		CASH	#002120
AMOUNT PAID		CHECK	50.00
BALANCE DUE		MONEY ORDER	

BY Dorothy N. Hansen (R)

Map Number 290-99 City [ ]

Section 9 Block 1 Lot 93.2 Town [X] Village New Windsor

+ 87.1

Title: JJ+H of Walden, Inc. + Sunoco, Inc.

Dated: 10-20-99 Filed 12- -99

Approved by James Petro

on 11-23-99

Record Owner JJ+H of Walden, Inc. +

Sunoco, Inc.

DONNA L. BENSON  
Orange County Clerk

Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12553  
(814) 563-4811

**RECEIPT**  
**#14-1999**

12/07/1999

Received \$ 100.00 for Planning Board Fees, on 12/07/1999. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Dorothy H. Hansen  
Town Clerk

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 12/07/1999

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]  
A [Disap, Appr]

FOR PROJECT NUMBER: 99-31

NAME: SUNOCO, INC. TO J.J.&H. OF WALDEN, INC.  
APPLICANT: J.J. & H. OF WALDEN, INC.

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
11/23/1999	PLANS STAMPED	APPROVED
10/27/1999	P.B. APPEARANCE	LA:ND WVE PH APPR
10/06/1999	WORKSESSION APPEARANCE	SUBMIT

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 12/07/1999

PAGE: 1

LISTING OF PLANNING BOARD **FEES**  
**ESCROW**

FOR PROJECT NUMBER: 99-31

NAME: SUNOCO, INC. TO J.J.&H. OF WALDEN, INC.  
APPLICANT: J.J. & H. OF WALDEN, INC.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
10/21/1999	REC. CK. #002121	PAID		400.00	
10/27/1999	P.B. ATTY. FEE	CHG	35.00		
10/27/1999	P.B. MINUTES	CHG	22.50		
11/17/1999	P.B. ENGINEER FEE	CHG	59.00		
12/06/1999	RET. TO APPLICANT	CHG	283.50		
		TOTAL:	400.00	400.00	0.00

12/2/99

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 12/07/1999

PAGE: 1

LISTING OF PLANNING BOARD SEQRA ACTIONS

FOR PROJECT NUMBER: 99-31

NAME: SUNOCO, INC. TO J.J.&H. OF WALDEN, INC.

APPLICANT: J.J. & H. OF WALDEN, INC.

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	10/21/1999	EAF SUBMITTED	10/21/1999	WITH APPLICATION
ORIG	10/21/1999	CIRCULATE TO INVOLVED AGENCIES	/ /	
ORIG	10/21/1999	LEAD AGENCY DECLARED	10/27/1999	TOOK LA
ORIG	10/21/1999	DECLARATION (POS/NEG)	10/27/1999	DECL. NEG DEC
ORIG	10/21/1999	SCHEDULE PUBLIC HEARING	/ /	
ORIG	10/21/1999	PUBLIC HEARING HELD	/ /	
ORIG	10/21/1999	WAIVE PUBLIC HEARING	10/27/1999	WAIVE PH
ORIG	10/21/1999	AGRICULTURAL NOTICES	/ /	

RESULTS OF P. MEETING OF: October 27, 1999

PROJECT: J.I+H Suraco S.L. Chg P.B.# 94-31

LEAD AGENCY:

**NEGATIVE DEC:**

1. AUTHORIZE COORD LETTER: Y      N     

M) ~~N~~ S) A VOTE: A ~~N~~ C

2. TAKE LEAD AGENCY: Y ☒ N ☐

CARRIED: YES ☒ NO

MD/N'S) 7 VOTE: A4 N 0 *from 24/10/14*

CARRIED: YES:✓ NO

Lucas Absent

WAIVE PUBLIC HEARING:

MOTION: Y VOTE: A 4 N 0 WAIVED: Y 1 N

WAIVED: Y, / N

SCHEDULE P.H. Y      N ✓

Lucas absent

SEND TO O.C. PLANNING: Y

SEND TO DEPT. OF TRANSPORTATION: Y

REFER TO Z.B.A.: M)      S)      VOTE: A      N     

RETURN TO WORK SHOP: YES NO

APPROVAL:

M) A S) 11 VOTE: A 4 N 0 APPROVED: 10 27-99

M) S) VOTE: A N APPROVED CONDITIONALLY:

NEED NEW PLANS: Y N

**DISCUSSION/APPROVAL CONDITIONS:**

[illegible]



27  
REGULAR ITEMS:

J.J. & H. OF WALDEN & SUNOCO LOT LINE CHANGE (99-31)

Mr. William Hildreth appeared before the board for this proposal.

MR. PETRO: This application proposes lot line change which will transfer approximately .089 acres from lot 93.2 to lot 87.1.

MR. HILDRETH: Okay, these are two tax lots located between Route 9W and River Road. One of them is part of a Sunoco holdings on the west side of River Road, has some oil storage tanks on it. The other parcel is vacant land, which is just south of the old Rosebud's Restaurant on 9W. The parcel to be transferred is in the rear of the Sunoco property 38,739 square feet, that was a function of making sure that the remaining Sunoco parcel still complied with the square footage area requirement for its use.

MR. PETRO: And the setbacks for the tanks.

MR. HILDRETH: Well, as it turns out by having to make sure the area was there, we found we had more than we needed. The parcel will be transferred, makes the newer lot over 7 acres, so it's, that's increased, there's no problem with complying there. It's basically in the PI zone, parcel to be transferred is in the PI zone. There's also an NC zone for the frontage on 9W, but that doesn't affect this parcel. There are some sewer easements through the property, they are existing and that's it. It's a lot line change, transfer of 9/10 of an acre and that's it.

MR. PETRO: Mark, as far as your comment number 3, I met with Mr. Bonura and discussed a couple things with Marshall Rosenblum also about the sewer line that was inadvertently buried to more than a depth that was necessary or proper and I guess they are working it out with the sewer department.

MR. EDSALL: We had a meeting, I think you mean comment 2, and we did meet on the site, John Agido and myself

and Joe Bonura and Joe has agreed to do what's necessary and John Agido agreed to work with Joe to locate all the sewer manholes. Since then, of course, we have had this application and Bill shows the sewer easements and shows the sewer manholes, I assume the manhole locations were field located?

MR. HILDRETH: Not by me. What this is is a combination of deed plots and other existing surveys supplied to me by the owners of the properties. The reason I took it and ran with it, they match the deeds, they form mathematically closed parcels. Things matched up pretty well. So based on wanting to re-establish the sewer manholes, they are probably very close. But if it was to be resurveyed and tied in that way it might be a little closer, I don't know.

MR. EDSALL: Bill, was the plan that you worked off of wasn't there an as-built plan for the sewer manholes?

MR. HILDRETH: No, what that was, the survey that was done when J. J. & H. picked up the 7 acre piece and that was done by Leo Carroll, who's since passed away, but that was only done a little over a year ago, I think right around a year ago, and that was a freshly dated survey of that time so--

MR. EDSALL: Well, assuming that it is--

MR. HILDRETH: That survey showed a couple of the manholes were outside the easements, that tells me at the time they did the survey, they were visible and locatable based on that and they could be re-found in the field, I think.

MR. EDSALL: Well, assuming that we now have better information than we had before, that would help Joe locate them with John Agido and Joe has committed to relocating the sewer, if that's what's appropriate.

MR. HILDRETH: If you had no idea where they were before, this is better information.

MR. PETRO: You don't see any reason that that should be obstructive to the new lot line change?

MR. EDSALL: Absolutely not, because Mr. Bonura obviously is a businessman who's very active in the town and he's been cooperative in the past. I see no reason why he wouldn't continue to be so.

MR. PETRO: We have Highway approval on 10/25 and 10/226/99 for the Fire. Motion for lead agency?

MR. LANDER: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency for the J. J. & H. of Walden and Sunoco lot line change on River Road. Is there any further discussion? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: As far as public hearing is concerned.

MR. LANDER: Waive it.

MR. ARGENIO: I agree with Mr. Lander.

MR. LANDER: Minor lot line change, I wouldn't say minor but--

MR. ARGENIO: I'll make that motion.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board waive the public hearing for the J. J. & H. Sunoco lot line change on River Road. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: Okay, under the SEQRA process, we need to make a determination.

MR. LANDER: Negative dec, so moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare negative dec under the SEQRA process for the J. J. & H. Sunoco lot line change. Is there any further discussion? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: Mr. Edsall, do you see any reason why we cannot go forward at this time for a final?

MR. EDSALL: No.

MR. PETRO: Mr. Krieger?

MR. KRIEGER: No.

MR. PETRO: With that, I'll entertain a motion.

MR. ARGENIO: Make a motion we grant final approval for the lot line change for J. J. & H. Sunoco between U.S. 9W and River Road.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the

October 2 1999

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New Windsor Planning Board grant final approval to the lot lot change for J. J. & H. Sunoco on River Road. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. LANDER	AYE
MR. PETRO	AYE

DISCUSSIONPLUM POINT CATERING

MR. EDSALL: Mike and I have two items. One involves an issue that particular applicant appeared before the board as a discussion item and the board granted him approval to proceed, that site being the Plum Point Catering site, Mr. Bonura. And one of the cautions that the board had told him was to be very careful that he not cause any problems with the town sewer system because John Agido had brought to our attention some real concern about the fill that was being placed that it was burying an existing sewer line to a tremendous depth. Well, Mr. Agido got ahold of me again, raised some real significant concern because the sewer line is a transite (phonetic) sewer line that is now very, very deep and one of the manholes may be covered now.

MR. LANDER: What's very very deep, 30 feet?

MR. EDSALL: Probably.

MR. BABCOCK: Forty feet.

MR. EDSALL: Obviously, transite pipes aren't designed to take that type of loading and even if it withheld it for now, that transite pipe could break tomorrow by its nature, that does carry quite a bit of flow of the town sewer system. The Supervisor is aware of the concern and my suggestion to John was that we since he appeared before this board, to have this board authorize or direct Mike and I to send him a letter telling him that he really needs to get together with John Agido and if the fill has necessitated a relocation of the line, that he should take care of it.

MR. PETRO: Why can't they bypass that piece that's under the fill with something else?

MR. EDSALL: Run around the perimeter and reconnect and use the right kind of pipe. John is extremely concerned that if there's a break, there's no way to get to it. Now, you've taken a main line out of service so how are we going to provide sewer service to

August 25, 1999

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the affected upstream areas. So, if the board so directs us, we'll work with John on getting a letter from him if the board so directs us we'll work with John to get a letter out.

MR. PETRO: Oh, yes.

MR. EDSALL: So, you're telling us?

MR. PETRO: Yes.

McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.  
JAMES M. FARR, P.E.

- ☐ **Main Office**  
45 Quassaick Ave. (Route 9W)  
New Windsor, New York 12553  
(914) 562-8640
- ☐ **Branch Office**  
507 Broad Street  
Millford, Pennsylvania 18337  
(717) 296-2765

PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE

1-3

TOWN/VILLAGE OF New Windsor P/B #        -       

WORK SESSION DATE: 6 OCT 99 APPLICANT RESUB.  
REQUIRED:

REAPPEARANCE AT W/S REQUESTED:

PROJECT NAME: Sun Oil / Bunura 4C

PROJECT STATUS: NEW   X   OLD       

REPRESENTATIVE PRESENT: Bill Hildreth.

MUNIC REPS PRESENT: BLDG INSP. \_\_\_\_\_  
FIRE INSP. Rich \_\_\_\_\_  
ENGINEER X \_\_\_\_\_  
PLANNER \_\_\_\_\_  
P/B CHMN. \_\_\_\_\_  
OTHER (Specify) \_\_\_\_\_

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- Q - current tax maps join properties on both sides of River Rd - per 7w one property (last 1 know)
- prop new land for parcels on both sides
- Q - do setbacks apply to storage tanks
- he should call Andy K.

CLOSING STATUS

- ~~Set for agenda~~  
~~possible agenda item~~  
~~Discussion item for agenda~~  
~~ZBA referral on agenda~~

pbwsform 10MJE98



AS OF: 11/17/99

PAGE 1

## CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56

NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK: 99- 31

PJF WORK DONE PRIOR TO: 11/17/99

TASK-NO	REC	--DATE--	TRAN	EMPL	ACT DESCRIPTION-----	RATE	HRS.	TIME	EXP.	BILLED	BALANCE
99-31	164816	10/25/99	TIME	MJE	MC SUNOCO L/L CHANGE	75.00	0.50	37.50			
99-31	164268	10/26/99	TIME	MCK	CL JJH/SUNOCO TRC	28.00	0.50	14.00			
99-31	164709	10/27/99	TIME	MJE	MM JJH/SUNOCO L/L APPD	75.00	0.10	7.50			
								59.00			
99-31	165830	11/15/99			BILL 99-1099					-59.00	
										-59.00	
					TASK TOTAL			59.00	0.00	-59.00	0.00
					GRAND TOTAL			59.00	0.00	-59.00	0.00

MYRA

Joe Roses said  
you wanted this

Malin



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.  
JAMES M. FARR, P.E.

Licensed in NEW YORK, NEW JERSEY  
and PENNSYLVANIA

- ☐ **Main Office**  
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e-mail: mheny@att.net
- ☐ **Regional Office**  
507 Broad Street  
Milford, Pennsylvania 18337  
(570) 296-2765  
e-mail: mhepa@ptd.net

**TOWN OF NEW WINDSOR  
PLANNING BOARD  
REVIEW COMMENTS**

**REVIEW NAME:** JJH/SUNOCO LOT LINE CHANGE  
**PROJECT LOCATION:** US ROUTE 9W AND RIVER ROAD  
SECTION 9-BLOCK 1-LOTS 87.1 AND 93.2  
**PROJECT NUMBER:** 99-31  
**DATE:** 27 OCTOBER 1999  
**DESCRIPTION:** THE APPLICATION PROPOSES A LOT LINE CHANGE  
WHICH WOULD TRANSFER APPROXIMATELY 0.89 ACRES  
FROM LOT 93.2 TO LOT 87.1.

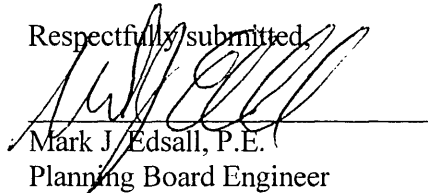
1. The properties are located within the PI Zoning District. A portion of the property along Route 9W is in the NC Zoning District. The lot being made "smaller" is Lot 93.2, which is along River Road and in the PI Zone. The Applicant's Surveyor has provided the bulk information for Special Permit Use B-5, Bulk Storage and has verified that the reconfigured (smaller) lot continues to meet the minimum bulk requirements of the zone. Regarding Lot 87.1, this lot is being increased and there is no issue regarding bulk compliance.
2. The Planning Board is reminded that Lot 87.1 is the lot which is currently receiving fill material and grading operations previously approved by the Planning Board. An issue which arose from this operation involves the existing sanitary sewers through the property and the potential impacts to same. The property owner met with the Sewer Department representative and the undersigned and has agreed to work with the Town to insure protection of the sewer lines.
3. The Planning Board may wish to assume the position of **Lead Agency** under the SEQRA process.

**TOWN OF NEW WINDSOR  
PLANNING BOARD  
REVIEW COMMENTS  
PAGE 2**

**REVIEW NAME:** JJH/SUNOCO LOT LINE CHANGE  
**PROJECT LOCATION:** US ROUTE 9W AND RIVER ROAD  
SECTION 9-BLOCK 1-LOTS 87.1 AND 93.2  
**PROJECT NUMBER:** 99-31  
**DATE:** 27 OCTOBER 1999

4. The Planning Board should determine if a **Public Hearing** would be necessary for this **minor subdivision (in form of lot line change)**, or if same can be waived per Paragraph 4.B of the Subdivision Regulations.
5. The Planning Board may wish to make a **determination** regarding the type action this project should be classified under SEQRA and make a determination regarding environmental significance.

Respectfully submitted,

  
Mark J. Edsall, P.E.  
Planning Board Engineer

MJEmk

A:JJH-SUNOCO.mk

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 10/27/1999

PAGE: 1

LISTING OF PLANNING BOARD **AGENCY APPROVALS**

FOR PROJECT NUMBER: 99-31

NAME: SUNOCO, INC. TO J.J.&H. OF WALDEN, INC.  
APPLICANT: J.J. & H. OF WALDEN, INC.

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
ORIG	10/21/1999	MUNICIPAL HIGHWAY 1	10/25/1999	APPROVED
ORIG	10/21/1999	MUNICIPAL WATER	10/25/1999	APPROVED
ORIG	10/21/1999	MUNICIPAL SEWER	/ /	
ORIG	10/21/1999	MUNICIPAL FIRE	10/26/1999	APPROVED
ORIG	10/21/1999	NYS DOT	/ /	

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 10/22/1999

PAGE: 1

LISTING OF PLANNING BOARD **FEES**  
**ESCROW**

FOR PROJECT NUMBER: 99-31

NAME: SUNOCO, INC. TO J.J.&H. OF WALDEN, INC.  
APPLICANT: J.J. & H. OF WALDEN, INC.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
10/21/1999	REC. CK. #002121	PAID		400.00	
		TOTAL:	0.00	400.00	-400.00

*A. Zappale*

**INTER-OFFICE MEMORANDUM**

**TO: Town Planning Board**

**FROM: Town Fire Inspector**

**DATE: October 26, 1999**

**SUBJECT: J.J. & H of Walden, Inc.**

Planning Board Reference Number: PB-99-31

Dated: 21 October 1999

Fire Prevention Reference Number: FPS-99-045

A review of the above referenced lot line change was conducted on 25 October 1999.

This lot line change is acceptable.

Plans Dated: 20 October 1999.

A handwritten signature in black ink, appearing to read 'R. F. Rodgers', is written over the printed name.

**Robert F. Rodgers**  
Fire Inspector

RFR/dh

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

## NEW WINDSOR PLANNING BOARD REVIEW FORM



1763

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER:

99-81

DATE PLAN RECEIVED:

RECEIVED OCT 21 1999

The maps and plans for the Site Approval

Subdivision \_\_\_\_\_ as submitted by

\_\_\_\_\_ for the building or subdivision of

J. J. & H. G. Walden Inc. & Sunoco Inc. has been  
reviewed by me and is approved 2

~~disapproved~~ \_\_\_\_\_

~~If disapproved, please list reason.~~ \_\_\_\_\_

Area is being fed by town water -  
Notify water dept if mark-out is  
necessary -

HIGHWAY SUPERINTENDENT

DATE

Steve D. D. O.

10-25-99

WATER SUPERINTENDENT

DATE

SANITARY SUPERINTENDENT

DATE

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

## NEW WINDSOR PLANNING BOARD REVIEW FORM



1765

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

RECEIVED

PLANNING BOARD FILE NUMBER:

99-31

N.W. HIGHWAY DEPT.

DATE PLAN RECEIVED: RECEIVED OCT 2 1 1999

The maps and plans for the Site Approval ☒

Subdivision \_\_\_\_\_ as submitted by

\_\_\_\_\_ for the building or subdivision of

\_\_\_\_\_ has been

reviewed by me and is approved ☒

disapproved \_\_\_\_\_.

If disapproved, please list reason \_\_\_\_\_

James C. Calk  
HIGHWAY SUPERINTENDENT

10/25/99  
DATE

\_\_\_\_\_  
WATER SUPERINTENDENT

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SANITARY SUPERINTENDENT

\_\_\_\_\_  
DATE





1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553  
Telephone: (914) 563-4615  
Fax: (914) 563-4693

## PLANNING BOARD APPLICATION

### TYPE OF APPLICATION (check appropriate item):

Subdivision \_\_\_\_\_ Lot Line Change ☒ Site Plan \_\_\_\_\_ Special Permit \_\_\_\_\_

Tax Map Designation: Sec. 9 Block 1 Lot 93.2 ~~87.1~~

1. Name of Project SUNOCO, Inc. to J. J. & H. of Walden, Inc.
2. Owner of Record SUNOCO  
~~Inc. Company~~, Inc. (R & M) (Lot 93.2) Phone (215) 977-3822  
Address: 1801 Market Street Philadelphia, PA 19103  
(Street Name & Number) (Post Office) (State) (Zip)
3. Name of Applicant J.J. & H. of Walden, Inc. (Lot 87.1) Phone (914) 565-3390  
Address: 2975 Route 9W South, New Windsor, NY 12553  
(Street Name & Number) (Post Office) (State) (Zip)
4. Person Preparing Plan William Hildreth, L.S. Phone (914) 566-6650  
Address: 407 South Plank Road Suite 3 Newburgh, NY 12550  
(Street Name & Number) (Post Office) (State) (Zip)
5. Attorney Joseph P. Rones Phone (914) 563-9412  
Address 436 Robinson Ave. Newburgh, NY 12550  
(Street Name & Number) (Post Office) (State) (Zip)
6. Person to be notified to appear at Planning Board meeting:  
William Hildreth (914) 566-6650  
(Name) (Phone)
7. Project Location: see tax map annexed hereto  
On the \_\_\_\_\_ side of \_\_\_\_\_ feet  
(Direction) (Street) (No.)  
\_\_\_\_\_ of \_\_\_\_\_  
(Direction) (Street)
8. Project Data: Acreage 0.8893  
~~1.2022~~ Zone PL, NC School Dist. Newburgh  
To BE TRANSFERED

RECEIVED OCT 21 1990

99-31

9. Is this property within an Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District? Yes \_\_\_\_\_ No X

**\*This information can be verified in the Assessor's Office.**

**\*If you answer "yes" to question 9, please complete the attached "Agricultural Data Statement".**

10. Description of Project: (Use, Size, Number of Lots, etc.) Adding acreage onto applicants present tax lot parcel 9-1-87.1 which is approximately ~~3.5~~ 6.15 acres before lot line change.

11. Has the Zoning Board of Appeals Granted any Variances for this property? yes \_\_\_\_\_ no X

12. Has a Special Permit previously been granted for this property? yes \_\_\_\_\_ no X

**ACKNOWLEDGMENT:**

IF THIS ACKNOWLEDGMENT IS COMPLETED BY ANYONE OTHER THAN THE PROPERTY OWNER, A SEPARATE NOTARIZED STATEMENT OR PROXY STATEMENT FROM THE OWNER MUST BE SUBMITTED, AT THE TIME OF APPLICATION, AUTHORIZING THIS APPLICATION.

STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE)

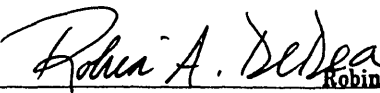
THE UNDERSIGNED APPLICANT, BEING DULY SWORN, DEPOSES AND STATES THAT THE INFORMATION, STATEMENTS AND REPRESENTATIONS CONTAINED IN THIS APPLICATION AND SUPPORTING DOCUMENTS AND DRAWINGS ARE TRUE AND ACCURATE TO THE BEST OF HIS/HER KNOWLEDGE AND/OR BELIEF. THE APPLICANT FURTHER ACKNOWLEDGES RESPONSIBILITY TO THE TOWN FOR ALL FEES AND COSTS ASSOCIATED WITH THE REVIEW OF THIS APPLICATION.

SWORN BEFORE ME THIS:

5<sup>th</sup> DAY OF October 19 99

J.J. & H. of Walden, Inc.

By:   
APPLICANT'S SIGNATURE

  
NOTARY PUBLIC Robin A. DeDea  
Notary Public State of NY  
Qualified in Dutchess County  
01DE6007429  
Commission expires May 18 20 00

Joseph Bonura, President  
Please Print Applicant's Name as Signed

\*\*\*\*\*  
TOWN USE ONLY:

RECEIVED OCT 21 1999

DATE APPLICATION RECEIVED

APPLICATION NUMBER

**TOWN OF NEW WINDSOR PLANNING BOARD**  
**SUBDIVISION/LOT LINE CHANGE CHECKLIST**

The following checklist items shall be incorporated on the Subdivision Plan prior to consideration of being placed on the Planning Board Agenda:

1. ✓ Name and address of Applicant.
- \* 2. ✓ Name and address of Owner.
3. ✓ <sup>LOT LINE CHANGE</sup>~~Subdivision~~ name and location.
4. ✓ Tax Map Data (Section, Block & Lot).
5. ✓ Location Map at a scale of 1" = ~~4~~000 ft.
6. ✓ Zoning table showing what is required in the particular zone and what applicant is proposing.
7. ✓ Show zoning boundary if any portion of proposed subdivision is within or adjacent to a different zone.
8. ✓ Date of plat preparation and/or date of any plat revisions.
9. ✓ Scale the plat is drawn to and North arrow.
10. ✓ Designation (in title) if submitted as sketch plan, preliminary plan or final plan.
11. ✓ Surveyor's certificate.
12. ✓ Surveyor's seal and signature.
13. ✓ Name of adjoining owners.
14. N/A Wetlands and 100 foot buffer zone with an appropriate note regarding DEC requirements.
- \* 15. N/A Flood land boundaries.
16. N/A A note stating that the septic system for each lot is to be designed by a licensed professional before a building permit can be issued.
17. ✓ Final metes and bounds.
18. N/A Name and width of adjacent streets; the road boundary is to be a minimum of 25 ft. from the physical center line of the street.

19. ✓ Include existing or proposed easements.
20. N/A Right-of-way widths.
21. N/A Road profile and typical section (minimum traveled surface, excluding shoulders, is to be 16 ft. wide).
22. ✓ Lot area (in square feet for each lot less than 2 acres).
23. N/A Number the lots including residual lot.
24. ✓ Show any existing waterways.
- \*25. N/A A note stating a road (or any other type) maintenance agreement is to be filed in the Town Clerk's Office and County Clerk's Office.
26. ✓ Applicable note pertaining to owners' review and concurrence with plat together with owners' signature.
27. NONE Show any existing or proposed improvements, i.e., drainage systems, water lines, sewer lines, etc. (including location, size and depths).
28. N/A Show all existing houses, accessory structures, existing wells and septic systems within 200 ft. of the parcel to be subdivided.
29. N/A Show all and proposed on-site "septic" system and well locations; with percolation and deep test locations and information, including date of test and name of professional who performed test.
30. N/A Provide "septic" system design notes as required by the Town of New Windsor.
31. N/A Show existing grade by contour (2 ft. interval preferred) and indicate source of contour data.
32. N/A Indicate percentage and direction of grade.
33. NONE Indicate any reference to previous, i.e., file map date, file map number and previous lot number.
34. ✓ Provide 4" wide X 2" high box directly above title block (preferably lower right corner) for use by Planning Board in affixing Stamp of Approval.
35. N/A Indicate location of street or area lighting (if required).

REFERRING TO QUESTION 9 ON THE APPLICATION FORM, "IS THIS PROPERTY WITHIN AN AGRICULTURAL DISTRICT CONTAINING A FARM OPERATION OR WITHIN 500 FEET OF A FARM OPERATION LOCATED IN AN AGRICULTURAL DISTRICT, PLEASE NOTE THE FOLLOWING:

36. N/A

Referral to Orange County Planning Dept. is required for all applicants filing AD Statement.

37. N/A

A disclosure Statement, in the form set below, must be inscribed on all subdivision maps prior to the affixing of a stamp of approval, whether or not the Planning Board specifically requires such a statement as a condition of approval.

"Prior to the sale, lease, purchase, or exchange of property on this site which is wholly or partially within or immediately adjacent to or within 500 feet of a farm operation, the purchaser or leaser shall be notified of such farm operation with a copy of the following notification.

It is the policy of this State and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district or within 500 feet of such a district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors.

This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

**PREPARER'S ACKNOWLEDGMENT:**

THE PLAT FOR THE PROPOSED SUBDIVISION HAS BEEN PREPARED IN ACCORDANCE WITH THIS CHECKLIST AND THE TOWN OF NEW WINDSOR ORDINANCES, TO THE BEST OF MY KNOWLEDGE.

BY: William B. Hildner  
Licensed Professional Date

PROJECT I.D. NUMBER

617.21

SEQR

## Appendix C

State Environmental Quality Review

# SHORT ENVIRONMENTAL ASSESSMENT FORM For UNLISTED ACTIONS Only

## PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR J.J. & H. of Walden, Inc.		2. PROJECT NAME SUNOCO, Inc. to J.J. & H. of Walden, Inc.	
3. PROJECT LOCATION: <i>TOWN OF</i> Municipality <i>New Windsor</i> County <i>Orange</i>			
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map)  see tax map annexed			
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration			
6. DESCRIBE PROJECT BRIEFLY:  Lot line change for conveyance of vacant land from owner to applicant.			
7. AMOUNT OF LAND AFFECTED: Initially <del>1.2022</del> <i>0.8893</i> acres Ultimately <del>1.2022</del> <i>0.8893</i> acres			
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly			
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe: <i>Catering facility, APARTMENTS, PETROLIUM STORAGE</i>			
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency(s) and permit/approvals			
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency name and permit/approval  <i>Town of New Windsor Planning Board site plan.</i>			
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE			
Applicant/sponsor name: <i>J. J. &amp; H. of Walden, Inc.</i>		Date: <i>October 5, 1999</i>	
Signature: <i>Joseph Brown</i>			

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

1

99-81

**PART II—ENVIRONMENTAL ASSESSMENT** (To be completed by Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF. <input type="checkbox"/> Yes <input type="checkbox"/> No	
B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency. <input type="checkbox"/> Yes <input type="checkbox"/> No	
C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible) C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:          C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:          C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:          C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:          C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:          C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:          C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:          	
D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, explain briefly	

**PART III—DETERMINATION OF SIGNIFICANCE** (To be completed by Agency)

**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

<input type="checkbox"/> Check this box if you have identified one or more potentially large or significant adverse impacts which <b>MAY</b> occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action <b>WILL NOT</b> result in any significant adverse environmental impacts <b>AND</b> provide on attachments as necessary, the reasons supporting this determination:	
Name of Lead Agency	
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (If different from responsible officer)
Date	

**APPLICANT/OWNER PROXY STATEMENT**  
**(for professional representation)**

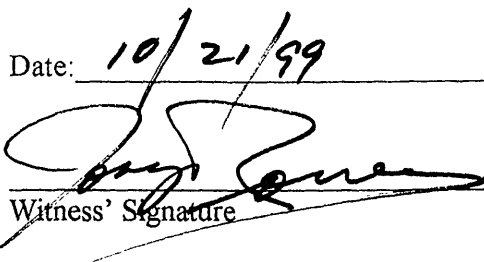
for submittal to the:  
TOWN OF NEW WINDSOR PLANNING BOARD

J.J. & H. of Walden, Inc. by Joseph Bonura, deposes and says that he resides  
~~(OWNER)~~ (APPLICANT)  
at 2975 Route 9W South in the County of Orange  
~~(OWNER'S ADDRESS)~~  
APPLICANT'S  
and State of New York and that he is the owner of property tax map  
(Sec. 9 Block 1 Lot 87.1)  
designation number (Sec.        Block        Lot       ) which is the premises described in  
the foregoing application and that he authorizes:

J.J. & H. of Walden, Inc. 2975 Route 9W South, New Windsor, New York 12553  
(Applicant Name & Address, if different from owner)  
WILLIAM B. HILDRETH, L.S. 407 SOUTH PLANK RD. UNIT 3 NEWBURGH, N.Y. 12550  
(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: 10/21/99

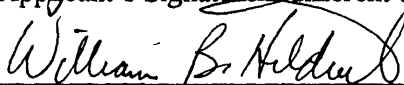
  
Witness' Signature

Owner's Signature

J.J. & H. of Walden, Inc.

By: 

Applicant's Signature if different than owner

  
Representative's Signature

**THIS FORM CANNOT BE WITNESSED BY THE PERSON OR  
REPRESENTATIVE OF THE COMPANY WHO IS BEING AUTHORIZED  
TO REPRESENT THE APPLICANT AND/OR OWNER AT THE MEETINGS.**



**APPLICANT/OWNER PROXY STATEMENT**  
(for professional representation)

for submittal to the:  
TOWN OF NEW WINDSOR PLANNING BOARD

SUNOCO, INC. (R&M)  
~~Sun Company, Inc.~~ by DeWayne Ketchum, deposes and says that he resides  
(OWNER)

at Ten Penn Center, 1801 Market Street, Philadelphia, ~~in the County of~~  
(OWNER'S ADDRESS)

and State of Pennsylvania and that he is the owner of property tax map

(Sec. 9 Block 1 Lot 93.2)  
designation number (Sec.        Block        Lot       ) which is the premises described in

the foregoing application and that he authorizes:

J.J. & H. of Walden, Inc. 2975 Route 9W South, New Windsor, NY 12553

(Applicant Name & Address, if different from owner)

William Hildreth, <sup>45</sup>~~44~~, 407 South Plank Road Suite 3 Newburgh, NY 12550

( Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: October 14, 1999

on behalf of SUNOCO, INC. (R&M)

Barth J. Paland  
Witness' Signature

SUNOCO, INC. (R&M)

Sun Company, Inc.

By: DeWayne Ketchum

Owner's Signature DeWayne Ketchum,  
Manager, Business Development

Applicant's Signature if different than owner

William Hildreth  
Representative's Signature

**THIS FORM CANNOT BE WITNESSED BY THE PERSON OR  
REPRESENTATIVE OF THE COMPANY WHO IS BEING AUTHORIZED  
TO REPRESENT THE APPLICANT AND/OR OWNER AT THE MEETINGS.**

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REC-108  
"XX"

## ATTACHMENTS

- A. Flood Hazard Area Development Permit Application Form.
- B. Certificate of Compliance ☒

PLEASE NOTE: IF PROPERTY IS NOT IN A FLOOD ZONE, PLEASE INDICATE THAT ON THIS FORM AND SIGN YOUR NAME. RETURN FORM WITH PLANNING BOARD APPLICATION.

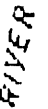
IF PROPERTY IS LOCATED IN A FLOOD ZONE, PLEASE COMPLETE THE ATTACHED (LEGAL SIZE) PAPERS AND RETURN WITH PLANNING BOARD APPLICATION.

*THIS PROPERTY IS NOT LOCATED IN A FLOOD ZONE*

*William B. Hildner*

99-31

A hand-drawn sketch of a flagpole. The flagpole is a vertical line with a flag at the top. The flag is a simple rectangle with a horizontal line across the middle. To the right of the flagpole, the word "North" is written in a cursive, handwritten style.



98-814

10/04/99

12:00

89145629362

FLG&amp;P COMM DEPT

ORANGE COUNTY CLERK'S OF. RECORDING PAGE  
THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE

PRINT OR TYPE BLACK INK ONLY

*Exxon Corporation*

TO

*Sun Company Inc.*

SECTION 9 BLOCK 1 LOT 84

RECORD AND RETURN TO:  
(Name and Address)

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH  
RECORDED INSTRUMENT ONLY.

FIRST AMERICAN TITLE INS. CO.  
OF N.Y.  
81 MAIN STREET  
P. O. BOX 832

DO NOT WRITE BELOW THIS LINE

CONTROL NO. 60797 DATE 9-22-99 AFFIDAVIT FILED 10031 19INSTRUMENT TYPE DEED / MORTGAGE / SATISFACTION / ASSIGNMENT / OTHER /

BG20 Blooming Grove  
CH22 Chester  
CO24 Cornwall  
CR26 Crawford  
DP28 Deepark  
GO30 Goshen  
GR32 Greenville  
HA24 Hamletburgh  
HI32 Highlands  
MK38 Middletown  
ME40 Monroe  
MY42 Montgomery  
MH44 Mount Hope  
NT46 Newburgh (N)  
NW48 New Windsor  
TU50 Tuxedo  
WL52 Walkkill  
WK54 Warwick  
WAS8 Wawayanda  
WO58 Woodbury  
MN09 Middletown  
NC11 Newburgh  
PJ13 Port Jervis  
9999 Hold

SERIAL NO. \_\_\_\_\_

Mortgage Amount \$ \_\_\_\_\_

Exempt Yes \_\_\_\_\_ No \_\_\_\_\_

3-6 Cooking Units Yes \_\_\_\_\_ No \_\_\_\_\_

Received Tax on above Mortgage

Basic \$ \_\_\_\_\_

MTA \$ \_\_\_\_\_

Spec. Add. \$ \_\_\_\_\_

TOTAL \$ \_\_\_\_\_

CHECK / CASH / CHARGE /

MORTGAGE TAX \$ \_\_\_\_\_

TRANSFER TAX \$ 1800<sup>00</sup>RECORD. FEE \$ 10

REPORT FORMS \$ \_\_\_\_\_

CERT. COPIES \$ \_\_\_\_\_

MARION S. MURPHY  
Orange County Clerk

by: C. P. J. J.

ORANGE COUNTY CLERK'S OFFICE S.S.

Recorded on OCT - 9 1999at 3:12 O'clock PMin Liber/Film 3680 0045at page 211 and examined.Marion S. Murphy

County Clerk

RECEIVED

\$ 1800<sup>00</sup>

REAL ESTATE

OCT - 9 1999

TRANSFER TAX

ORANGE COUNTY

LIBER 3680 PAGE 211

98-31

THIS IS A LEGAL INSTRUMENT AND SHOULD BE EXECUTED UNDER SUPERVISION OF AN ATTORNEY.

THIS INDENTURE, made the 28<sup>th</sup> day of September 1992, BETWEEN EXXON CORPORATION, a New Jersey corporation having offices at 1200 Smith Street, Suite 2726, Houston, Texas 77002

SUN COMPANY, INC. (R&M), a Pennsylvania corporation with its principal office at Ten Penn Center, 1801 Market Street, Philadelphia, Pennsylvania 19103

grantor

WITNESSETH, that the grantor, in consideration of One and No/100 Dollars (\$1.00)

hereby grants and releases unto the grantee, the heirs or successors and assigns of the grantee forever,

XXIX

SEE SCHEDULE A ATTACHED HERETO AND MADE A PART HEREOF

Subject to all covenants, easements and restrictions affecting the premises herein described, if any, recorded in the Orange County Clerk's Office.

The property described herein does not constitute all or substantially all of the assets of the grantor and transfer of the property described herein is being made in the usual or regular course of business of the grantor.

TOGETHER with the appurtenances and all the estate and rights of the grantor in and to said premises. I HAVE AND TO HOLD the premises herein granted unto the grantee, the heirs or successors and assigns of the grantee forever, AND the said grantor covenants that the grantor has not done or suffered anything whereby the said values have been encumbered in any way whatever. This deed is subject to the trust provisions of Section 13 of the Lien Law. The words "grantor" and "grantee" shall be construed to read in the plural whenever the sense of this deed so requires. (WITNESS WHEREOF, the grantor has executed this deed the day and year first above written.

Witness of:

EXXON CORPORATION

I. S.

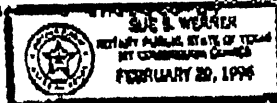
BY: Joe T. McMillan 1. S.  
TITLE: Vice President Exxon Corporation

STATE OF TEXAS  
COUNTY OF HARRIS SS:

I the 28<sup>th</sup> day of SEPTEMBER 1992, before me personally came JOE T. McMILLAN to me known, who, being by me duly sworn, did depose and say that deponent resides in HARRIS COUNTY, TEXAS. Deponent is VICE PRESIDENT of Exxon Corporation the corporation described in and which executed the foregoing instrument; deponent signed deponent's order of the Board of Directors of said corporation.

Luc S. Horner

1183 3680 PAGE 212



89-31

# First American Title Insurance Company of New York

Title No. 211-0-4492

## SCHEDULE "A" AMENDED 9/29/92

### PARCEL 1

All that certain tract or parcel of vacant ground situate, lying and being in the Town of New Windsor, County of Orange and State of New York, as shown and indicated on a map of property of Sun Oil Company, based on a survey by Chan A. Gridley, C.E., made January 2, 1932, bounded and described as follows:

BEGINNING at a point (marked by a pipe) on the southerly property line of Grantor and along the northerly line of land now or late of Central Hudson Gas and Electric Corporation, said beginning point being distant 260.64 feet on a course north 52 degrees 00' 07" West from the point of intersection (marked by a pipe) of the southerly property line of land of grantor with the westerly right of way line of West Shore Railroad Company; extending thence along land now or late of Central Hudson Gas and Electric Corporation North fifty two degrees 10' 30" West and crossing the Newburgh and New Windsor Turnpike 678.35 feet to a point (marked by a pipe) thence along land now or late of one Corcoran, the following courses and distances:

(1) North 31 degrees 05' 07" West 200.98 feet to a point (marked by a pipe) and

(2) North 61 degrees 19' 07" West 56 feet to a point; extending thence along other land of Grantor, the following courses and distances:

(1) North 22 degrees 01 minutes 13 seconds East 242.07 feet to a point; thence:

(2) South 61 degrees 19' 07" East 56 feet to a point; thence

(3) South 31 degrees 05' 07" East 200.98 feet to a point;

(4) South 52 degrees 09' 07" East and crossing said Newburgh and New Windsor Turnpike 351.63 feet to a point on the easterly side of said Newburgh and New Windsor Turnpike; thence

(5) North 67 degrees 13' 53" East 35.16 feet to a point; thence

(6) South 67 degrees 45' 07" East 144 feet to a point; thence

(7) South 57 degrees 41' 27" East 40 feet to a point; thence

(8) South 22 degrees 14' 13" West 18 feet to a point; thence

(9) South 51 degrees 52' 27" East 60.20 feet to a point; thence

(10) South 22 degrees 01' 13" West 58 feet to a point; thence

(11) South 52 degrees 09' 07" East 50 feet to a point; and thence

(12) South 22 degrees 01' 13" West 242.07 feet to the point and place of BEGINNING.

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*First American Title Insurance Company of New York*

Title No.: 211-O-4492

SCHEDULE "A" (continued)  
AMENDED 9/29/92

PARCEL II

All that certain plot, piece or parcel of land, situate, lying and being in the Town of New Windsor, County of Orange and State of New York, bounded and described as follows:

BEGINNING at a point in the westerly right of way line of the West Shore Railroad, said right of way line being a line parallel with and distant 49.5 feet westerly measured at right angles from the center line between the main tracks thereof, and in the south line of lands of the Sun Oil Company, said point of beginning being distant 140.09 feet measured along said right of way line on a course of north 21 degrees 53' 10" East from the intersection of the same with the center line extended of a concrete box culvert 12 feet wide under the bed of the railroad and runs:

THENCE along the westerly right of way line of the West Shore Railroad South 21 degrees 53' 30" West 435.85 feet to lands of Turl Iron and Car Company Inc.,

THENCE along lands of Turl Iron and Car Company Inc. North 53 degrees 54' 30" west 333.25 feet to a 2 inch iron pipe on the easterly side of the River Road leading to Newburgh;

THENCE south 75 degrees 22' 30" west 46 feet to a cross cut in the concrete pavement of said River Road at the southeasterly corner of lands which were conveyed by the Columbus Trust Company to one Lautes;

THENCE along the easterly line of said lands north 22 degrees 02' 30" east 75 feet to a cross cut in the concrete pavement of said River Road;

THENCE along the northerly line of land so conveyed to Lautes North 79 degrees 33' 30" West 395 feet to a 2 inch iron pipe at the westerly corner thereof;

THENCE along the northerly line of lands of Turl Iron and Car Company Inc. and lands which were conveyed by them to one Eriksen North 49 degrees 40 minutes West 379.3 feet to a 2 inch iron pipe in the easterly line of lands formerly of Roe and now owned by one DiNitto;

1023 3680 net 214

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*First American Title Insurance Company of New York*

Title No.: 211-O-4492

SCHEDULE "A" (continued)  
AMENDED 9/29/92

PARCEL 11 (continued)

THENCE along said lands North 37 degrees 51' 30" east 310.45 feet to an angle iron at the northeast corner thereof;

THENCE along land formerly of Musgrave North 37 degrees 58' East 417.73 feet to a 2 inch iron pipe at an angle in the southerly line of lands of Esso Standard Oil Company;

THENCE along the southerly line of said lands South 52 degrees 08 minutes East 298.97 feet to the westerly line of the aforesaid River Road at a point which is distant 64.09 feet on a course of South 6 degrees 29 minutes west from a concrete monument on said road line;

THENCE Crossing the road South 52 degrees 08 minutes East 76.38 feet to the easterly side thereof;

THENCE still along lands of the Esso Standard Oil Company South 52 degrees 10.5 minutes east 301.81 feet to a point at the corner of a wire fence;

THENCE along lands of the Sun Oil Company, being over a line of iron pipes found on the line, South 51 degrees 15 minutes east 261.40 feet to the place of BEGINNING.

LIBR 3580 PAGE 215

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*First American Title Insurance Company of New York*

Title No. 1 211-0-4492

SCHEDULE "A" (continued)  
AMENDED 9/29/92

PARCEL III

And also at the right, title and interest of the party of the first part of, in and to certain other lands and lands under water of the Hudson River bounded and described as follows:

BEGINNING at a point in the easterly right of way line of the West Shore Railroad (99 feet wide) and in the southerly line of lands of the Sun Oil Company, said point of beginning being distant 118.09 feet measured along the easterly right of way line of the railroad on a course of North 21 degrees 53' 30" east from the intersection of the same with the center line extended of a concrete box culvert 12 feet wide under the bed of the railroad, and runs thence along the southerly line of lands of the Sun Oil Company south 51 degrees 15' East 357.8 feet to the easterly line of lands granted by the People of the State of New York to Benjamin Walsh as recorded in Book 309 of the Orange County records at page 567;

THENCE down the river and along said line south 22 degrees 45' West 307.26 (by deed, 302.12 feet by field survey) feet to lands of Turl Iron and Car Company Inc.;

THENCE along said lands North 68 degrees 06' 30" west 339.5 feet (by deed, 337.82 feet by field survey) to the easterly right of way line of the West Shore Railroad; thence along the same north 21 degrees 53 1/2 minutes east 405.85 (by deed, 410.99 feet by field survey) feet to the point or place of BEGINNING.

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TOGETHER with all the right, title and interest of the party of the first part in and to the land lying in the street in front of and adjoining said premises.

TOGETHER with all the right title and interest, if any, of the party of the first part in and to all those parcels of land now or formerly under the waters of the Hudson River granted by the People of the State of New York to Humble Oil and Refining Company by Leases Patent dated June 18, 1963 and recorded on July 12, 1963 in the Secretary of State's Office in Liber 76 of Patents, page 456.

EXXONS

LIBER 3680 PAGE 217

99-81

THIS INDENTURE, made the 11<sup>th</sup> day of FEBRUARY 1998

RM

BETWEEN HALMAR CONTRACTING, INC., a New York Corporation with offices at 160 W. Lincoln Avenue, Mt. Vernon, N. Y.

party of the first part, and J. J. & H. OF WALDEN, INC.

RM

2975 Route 9W South  
New Windsor, New York 12553

party of the second part,  
WITNESSETH, that the party of the first part, in consideration of  
----- TEN (\$10.00) ----- dollars  
paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs  
or successors and assigns of the party of the second part forever.

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate,  
lying and being in the Town of New Windsor, County of Orange and State of  
New York, as more fully described on Schedule "A" annexed hereto  
and made a part hereof.

Also known as Section 9, Block 1, Lot 87 on the Tax Assessment Map  
of the Town of New Windsor.

This conveyance is made in the ordinary course of business, and  
does not constitute all or substantially all of the assets of the  
corporation.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads  
abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all  
the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises  
herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second  
part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby  
the said premises have been encumbered in any way whatever, except as aforesaid.  
AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first  
part will receive the consideration for this conveyance and will hold the right to receive such consideration as a  
trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to  
the payment of the cost of the improvement before using any part of the total of the same for any other purpose.  
The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF: HALMAR CONTRACTING, INC.



by: William Murphy  
Vice President  
William Murphy

LIBER 47226 26

99-01

Form 3290

STATE OF NEW YORK, COUNTY OF

ss:


On the       day of       19       , before me  
personally came

to me known to be the individual       described in and who  
executed the foregoing instrument, and acknowledged  
that       executed the same.

STATE OF NEW YORK, COUNTY OF WESTCHESTER ss:

On the 11<sup>th</sup> day of FEBRUARY 19 98, before me  
personally came WILLIAM MURPHY  
to me known, who, being by me duly sworn, did depose and  
say that he resides at 14 DOUGLASS HILLS ROAD  
NEWBURGH, N.Y.  
that he is the VICE PRESIDENT  
of HALMAR CONTRACTING, INC.

the corporation described  
in and which executed the foregoing instrument; that he  
knows the seal of said corporation; that the seal affixed to said  
instrument is such corporate seal; that it was so affixed by  
order of the board of directors of said corporation, and  
that he signed his name thereto by like order.

  
JOSEPH P. RONES  
Notary Public, State of New York  
Qualified in Orange County  
Commission Expires June 30, 1998

## BARGAIN AND SALE DEED

WITH COVENANT AGAINST GRANTOR'S ACTS

Title No. \_\_\_\_\_

TO

Standard Form of New York Board of Title Underwriters  
Distributed by



**Commonwealth.**  
Land Title Insurance Company

STATE OF NEW YORK, COUNTY OF

ss:

On the       day of       19       , before me  
personally came

to me known to be the individual       described in and who  
executed the foregoing instrument, and acknowledged  
that       executed the same.

STATE OF NEW YORK, COUNTY OF

ss:

On the       day of       19       , before me  
personally came  
the subscribing witness to the foregoing instrument, with  
whom I am personally acquainted, who, being by me duly  
sworn, did depose and say that he resides at

that he knows  
to be the individual  
described in and who executed the foregoing instrument;  
that he, said subscribing witness, was present and saw

execute the same; and that he, said witness,  
at the same time subscribed his name as witness thereto.

SECTION 9  
BLOCK 1  
LOT 87.1  
COUNTY OR TOWN New Windsor  
STREET ADDRESS W'ly side of River Rd.  
County of Orange

Recorded at Request of  
**COMMONWEALTH LAND  
TITLE INSURANCE COMPANY**

RETURN BY MAIL TO

99-31

SPACE FOR USE OF RECORDING OFFICE

LIBER 47226 27

## SCHEDULE A (Continued)

Title No.: 971353

ALL that certain piece or parcel of land situate in the Town of New Windsor, County of Orange, State of New York and being more accurately described as follows:

BEGINNING at a point on the easterly line of U.S. Route 9W; said point being located N66°-10'-47"E, 208.4 feet from a found monument on the westerly side of U.S. Route 9W. Said point also marking the most southwesterly corner of the lands n/f of Bonura (Liber 4501, Page 202) and the most northwesterly corner of the herein described parcel of lands.

From said point of beginning and along the lands n/f of Bonura for the first three (3) courses and distances:

- (1) N66°-10'-47"E, 30.25 feet; thence,
- (2) S46°-53'-13"E, 46.00 feet; thence,
- (3) N75°-26'-47"E, 46.30 feet; thence,

along the lands n/f of Bonura and along the lands n/f of Robert Arms Associates (Liber 2154, Page 165), N65°-41'-47"E, 498.30 feet to the lands n/f of Johnson (Liber 1981, Page 827); thence, along the lands n/f of Johnson, S40°-15'-13"E, 493.32 feet to a found 1 1/2" diameter iron pipe, flush to the ground, in the westerly line of River Road a/k/a Newburgh and New Windsor Turnpike; thence, along the westerly line of River Road a/k/a Newburgh and New Windsor Turnpike for the next two (2) courses:

- (1) S45°-21'-47"W, 151.64 feet; thence,
- (2) S35°-24'-47"W, 165.64 feet to the lands n/f of Sun Oil Company (Liber 3680, Page 316); thence,

along the lands n/f of Sun Oil Company for the next four (4) courses and distances:

- (1) N55°-21'-13"W, 287.55 feet; thence,
- (2) N341-17'-13"W, 200.98 feet; thence,
- (3) N64°-31'-13"W, 56.00 feet; thence,
- (4) S18°-49'-07"W, 242.07 feet to the lands n/f of Toback and Crawley (Liber 2253, Page 120); thence,

along the lands n/f of Toback and Crawley for the next three (3) courses and distances:

- (1) N64°-31'-13"W, 30.03 feet to a found concrete monument and passing through a found concrete monument on line; thence,
- (2) N53°-10'-13"W, 149.97 feet and passing through a found concrete monument on line; thence,
- (3) N55°-42'-13"W, 60.62 feet to the easterly line of U.S. Route 9W; thence,

along the easterly line of U.S. Route 9W, N00°-12'-08"E, 159.08 feet to the place of beginning.

**Recorded by  
KAR-VIN ABSTRACT CORP.  
273 Quassaick Avenue  
New Windsor, NY 12553  
(914) 562-2622**

LIBR. 472226 29

## **PLANNING BOARD APPLICATION SUBMITTAL CHECKLIST**

The following items are to be returned to the Planning Board Secretary, **complete as a package**, to make application to appear before the Planning Board:

- |  | <b><u>CHECK OFF</u></b> |
|--|-------------------------|
| 1. Completed Page 1 and 2 of Application form.                                       | <u>✓</u>                |
| 2. Agricultural Data Statement (If you answer "yes" to #9 on application)            | <u>N/A</u>              |
| 3. Applicant/Owner Proxy Statement ( <b><u>MUST HAVE</u></b> ).                      | <u>✓</u>                |
| 4. Applicable completed "Check List" for subdivision/ <u>L.L. Chg.</u> or Site Plan  | <u>✓</u>                |
| 5. Short Form EAF (Unless instructed to prepare long form).                          | <u>✓</u>                |
| 6. Flood Hazard Area Development Application.  | <u>N/A</u>              |
| 7. <b>SEPARATE CHECKS AS FOLLOWS:</b> (Choose appropriate category for your project) |                         |

### **SITE PLANS: (INCLUDING SPECIAL PERMIT)**

Two Separate Checks: (One check for application fee and separate check for escrow amount)

Application fee.....\$100.00 \_\_\_\_\_

Escrow (\$750.00 - \$2,000.00) amount set at workshop \$ \_\_\_\_\_  
(Additional escrow due for multi-family dwellings)

### **SUBDIVISIONS:**

Two Separate Checks: (One check for application fee and separate check for escrow amount)

Application Fee...(minor subdivision only).....\$ 50.00 \_\_\_\_\_

Application Fee...(major subdivision only).....\$100.00 \_\_\_\_\_

Escrow:

**Residential:** \$150.00 for first 4 lots  
\$ 75.00 for each additional lot - Total:\$ \_\_\_\_\_

**Commercial:** \$ 400.00 for first 4 lots  
\$ 200.00 for each additional lot - Total:\$ \_\_\_\_\_

### **LOT LINE CHANGE:**

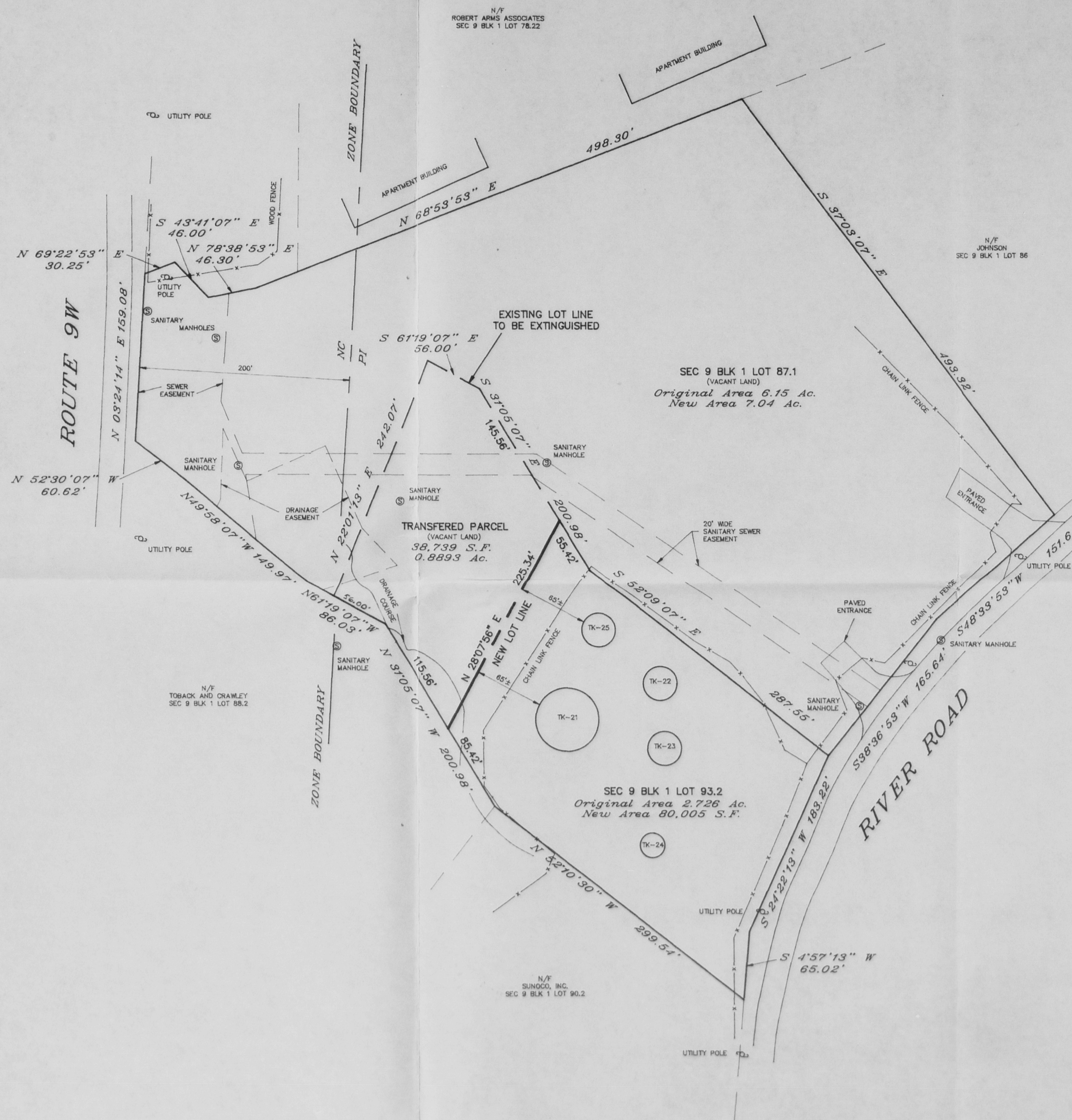
Two Separate Checks: (One check for application fee and separate check for escrow amount)

Application fee.....\$50.00 \$50.00 ✓

Escrow...(\$150.00 - \$400.00) amount set at workshop.....\$ 400.00 ✓

***PLEASE NOTE: ADDITIONAL FEES DUE UPON COMPLETION OF  
PLANNING BOARD REVIEW.***





**ZONE BULK TABLE FOR  
NEWLY CONFIGURED TAX LOT 93.2  
PI ZONE, COLUMN B-5**

	REQUIRED	PROVIDED
LOT AREA	80,000 S.F.	80,005 S.F.
LOT WIDTH	200'	NO CHANGE
FRONT YARD SETBACK	100'	NO CHANGE
SIDE YARD SETBACK	50'/110'	NO CHANGE
REAR YARD SETBACK	50'	65'±
STREET FRONTAGE	100'	NO CHANGE
BUILDING HEIGHT	12'/FT	NO CHANGE

**OWNERS' CONSENT**

I HAVE REVIEWED THIS PLAN AND FIND IT ACCEPTABLE.  
*Joseph P. ...*  
OWNER TAX LOT 87.1

**OWNERS' CONSENT**

I HAVE REVIEWED THIS PLAN AND FIND IT ACCEPTABLE.  
*David ...*  
OWNER TAX LOT 93.2

**NOTES**

1. BEING A LOT LINE CHANGE BETWEEN LANDS SHOWN ON THE TOWN OF NEW WINDSOR TAX MAPS AS SECTION 9 BLOCK 1 LOT 87.1 AND SECTION 9 BLOCK 1 LOT 93.2.
2. PROPERTY OWNER/APPLICANT TAX LOT 87.1: J. J. & H. OF WALDEN, INC.  
2975 ROUTE 9W SOUTH  
NEW WINDSOR, NEW YORK 12553  
DEED OF RECORD: LIBER 4722 PAGE 26  
  
PROPERTY OWNER TAX LOT 93.2: SUNOCO, INC. (R&M)  
1801 MARKET STREET  
PHILADELPHIA, PENNSYLVANIA 19103  
DEED OF RECORD: LIBER 3680 PAGE 211
3. PROPERTY ZONE: PI AND NC
4. PARCELS ARE SERVED BY EXISTING MUNICIPAL WATER AND SEWER SYSTEMS.
5. THERE ARE NO IMPROVEMENTS PROPOSED OR REQUIRED AS PART OF THIS LOT LINE CHANGE.
6. NO FIELD SURVEY WAS PERFORMED BY THE UNDERSIGNED IN PREPARING THIS PLAN. (REFER TO CERTIFICATION.) ONLY THE LOT AREAS AND DIMENSIONS ARE CERTIFIED TO. THE ACTUAL LOCATION OF THE BOUNDARIES ON THE GROUND AND THE LOCATION OF PHYSICAL FEATURES WITHIN THOSE BOUNDARIES ARE SUBJECT TO AN ACTUAL FIELD SURVEY.

**CERTIFICATION**

I hereby certify that this plan resulted from a compilation of survey maps and plot plans provided by the owners and deeds of record which, when plotted, form a closed boundary and was used as the basis of this plan. Easements and physical features shown hereon were graphically taken from those maps and plans.

**PLANNING BOARD APPROVAL**

☒ SITE PLAN ☐ SUBDIVISION ☐ LOT LINE CHANGE  
APPROVAL GRANTED BY TOWN OF NEW WINDSOR

NOV 23 1999

PLANNING BOARD ON: *James P. ...*  
BY: *...*  
PLANNING BOARD NO. 99-31



**Grevas & Hildreth, P.C.** LAND SURVEYORS  
407 SOUTH PLANK ROAD UNIT 3, NEWBURGH, N.Y. 12550  
TEL: (814) 566-6650

PLAN FOR: **J. J. & H. OF WALDEN, INC. & SUNOCO, INC. (R&M)**

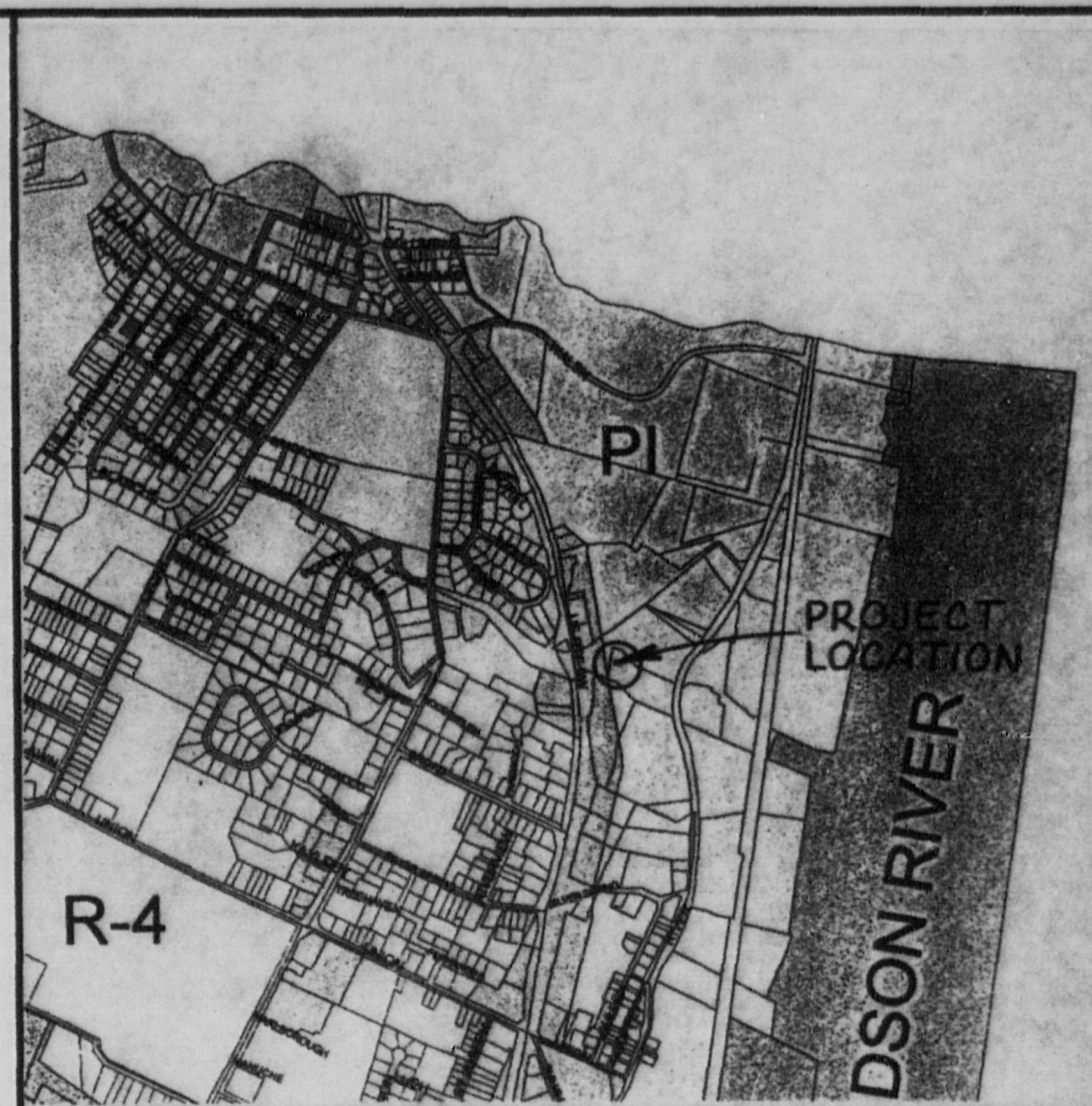
REVISIONS: 

DATE	DESCRIPTION	ACAD:JSUN

TOWN OF NEW WINDSOR ORANGE COUNTY NEW YORK

Drawn: WBH  
Checked: *...*  
Scale: 1"=60'  
Date: 20 Oct. 1999  
Job No: 99-084

**LOT LINE CHANGE  
FINAL PLAN**



LOCATION PLAN SCALE: 1"=4,000'